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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,630	12/26/2001	Shigeru Suzuki	P21540	4459

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EXAMINER

ELLINGTON, ALANDRA

ART UNIT PAPER NUMBER

2855

DATE MAILED: 09/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/025,630

Applicant(s)

SUZUKI ET AL.

Examiner

Alandra N Ellington

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on amendment filed on 6/27/03.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 22-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22-24 is/are allowed.
- 6) ☒ Claim(s) 1,2 and 17 is/are rejected.
- 7) ☒ Claim(s) 3-16,18 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- ☐ Interview Summary (PTO-413) Paper No(s). _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 2, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Cowman et al (6,183,685 B1).

A. With respect to Claim 1, Cowman et al discloses a pressure sensitive sensor for detecting pressure by electrical conduction caused by pressing into contact with each other a first electrode member and a second electrode member provided in a spaced arrangement in an unpressed state (col. 1 lines 55-60, col. 2 lines 1-2, col. 5 lines 65-67, col. 6 lines 1-7, col. 11 lines 55-57 {Figs. 1 and 2}), said pressure sensitive sensor comprising:

An insulative member 2 provided between said first electrode member 3 and said second electrode member 3 (col. 5 lines 65-67 {Figs. 1 and 2}), said insulative member 2 including an insulating material that allows electrical contact between said first electrode member 3 and said second electrode member 3 through a gap portion in its mesh when pressed, and insulates said first electrode member 3 and said second electrode

member 3 when in said unpressed state (col. 1 lines 55-67, col. 2 lines 12, 17-24 {Figs. 1 and 2}).

- B. With respect to Claim 2, Cowman et al discloses the pressure sensitive sensor according to claim 1, wherein said insulative member 2 includes a net braid member provided between said first electrode member 3 and said second electrode member 3 ({Figs. 1 and 2}), said net braid member allowing electrical contact between said first electrode member 3 and said second electrode member 3 through a gap portion in its mesh when pressed, and insulating said first electrode member 3 and said second electrode 3 when not pressed (col. 1 lines 55-67, col. 2 lines 12, 17-24, col. 5 lines 65-67 {Figs. 1 and 2}).
- C. With respect to Claim 17, Cowman et al discloses a method of making a pressure sensitive sensor for detecting pressure by electrical conduction caused by pressing into contact with each other a first electrode member and a second electrode member provided in a spaced arrangement in an unpressed state (col. 1 lines 55-60, col. 2 lines 1-2, col. 5 lines 65-67, col. 6 lines 1-7, col. 11 lines 55-57 {Figs. 1 and 2}), said method comprising: Providing an insulative member 2 between said first electrode member 3 and said second electrode member 3, said insulative member 2 including an insulating material that allows electrical contact between said first electrode member 3 and said second electrode member 3 when pressed, and insulates said first electrode member 3 and said second electrode 3

when in said unpressed state (col. 1 lines 55-67, col. 2 lines 12, 17-24 {Figs. 1 and 2}).

Allowable Subject Matter

2. Claims 22-24 are allowed.
3. Claims 3-16, 18 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments filed 6/27/03 have been fully considered but they are not persuasive.

Applicant argues that the cited art does not teach a pressure sensitive sensor. Examiner believes that Cowman et al discloses all of the claimed features stated in claims 1, 2 and 17. For example, Cowman et al teaches an insulative member 2 provided between said first electrode member 3 and said second electrode member 3 (col. 5 lines 65-67 {Figs. 1 and 2}), said insulative member 2 including an insulating material that allows electrical contact between said first electrode member 3 and said second electrode member 3 through a gap portion in its mesh when pressed, and insulates said first electrode member 3 and said second electrode member 3 when in said unpressed state (col. 1 lines 55-67, col. 2 lines 12, 17-24 {Figs. 1 and 2}). Even though Cowman et al does not use the same phraseology as the applicant (ie. pressure sensitive sensor), the examiner believes that the patent still discloses what the applicant describes and claims to be a pressure sensitive sensor.

Applicant argues that the cited art fails to show a device in which the insulative member "allows electrical contact between said first electrode member and said second electrode member through a gap portion in its mesh when pressed, and insulated said first electrode member and said second electrode member when in said unpressed state". Examiner disagrees because Cowman et al states that the first body of conductive material is adhered to the first surface portion for electrical communication with the portion of at least one electrode layer and that the second body of conductive material is adhered to the second surface portion for electrical communication with the portion of at least one other electrode layer and that the two portions are separated by a ceramic material (col. 1 lines 55-67, col. 2 lines 1-8 {Figs. 1 and 2}).

Applicant argues that the cited art does not teach a net braid member. Examiner believes that Cowman et al clearly shows in Figs. 1 and 2 what the applicant describes and shows to be a net braid member.

Applicant argues that the cited art fails to disclose a method of making a pressure sensitive sensor including providing an insulative member which includes "an insulating material that allows electrical contact between said first electrode member and said second electrode member when pressed, and insulated said first electrode member and said second electrode member when in said unpressed state". Examiner believes that Cowman et al definitely discloses an insulative member 2 between said first electrode member 3 and said second electrode member 3, said insulative member 2 including an insulating material that allows electrical contact between said first electrode member 3 and said second electrode member 3 when pressed, and insulates

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said first electrode member 3 and said second electrode 3 when in said unpressed state (col. 1 lines 55-67, col. 2 lines 12, 17-24 {Figs. 1 and 2}) because the patent pertains to the manufacturing method of such material.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alandra N. Ellington whose telephone number is (703)305-4449. The examiner can normally be reached on Monday - Friday, 6:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on (703)305-4816. The fax phone

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number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

Alandra Ellington
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